

REMARKS

Claims 1-9 are pending.

Claims 1-9 are rejected.

35 U.S.C 102(e) and 102(a)

Claims 1-9 are rejected under 35 USC 102(e) as being anticipated by Schmiedl et al., US 2003/0097721 and under 35 USC 102(a) as being anticipated by EP 1 275 700.

Both references were published before the filing date but after the priority date of the present application. US 2003/0097721 was filed on July 10, 2002. Thus July 10, 2002 is the effective 102(e) date. EP 1 275 700 was published on January 15, 2003. Thus January 15, 2003 is the 102(a) date.

A certified copy of the priority document (EP Application No. 02405468.6, filed on June 10th, 2002) is enclosed along with a true English translation.

The priority document fully supports the present claims including the proviso. As to the proviso in claim 1, see page 23, last paragraph and page 24, first paragraph, of the present application. Thus the above 102(a) and 102(e) rejections are overcome.

Reconsideration and withdrawal of the rejection of claims 1-9 is respectfully solicited in light of the remarks *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-9 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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Enclosures: Certified copy of EP 02405468.6 and True English Translation of EP 02405468.6

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